THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.27477 of 2005

Dated 26-12-2005

Between:

K.Bhixapathi and others.

.. **PETITIONERS**

AND

The Deputy General Manager,

C-P&A(PLG&ED)

Bharath Dynamics Limited and another.

.. RESPONDENTS

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ORDER

The petitioners are unemployed women. They came to know that the first respondent is undertaking the appointment to the post of Helper. The first respondent did not issue any general notice inviting applications for that purpose. On the other hand, it is restricting the consideration of the same to the candidates sponsored by the second respondent Employment Exchange of Ranga Reddy District. The petitioners seek a direction that their cases also be considered along with the candidates sponsored by the Employment Exchange. Reliance is placed upon the judgment of the Supreme Court in ***EXCISE SUPERINTENDENT, KRISHNA DISTRICT*** v. ***K.B.N.VISWESHWARA RAO***.

The learned standing counsel for the respondents had resisted the plea of the petitioners and relied upon a Division Bench judgment of this court in W.A.No.822 of 2000, dated 10-06-2003, in ***THE CHIEF MANAGER, PERSONAL AND HRD SECTION, STATE BANK OF INDIA*** Vs. ***SMT.K.LAKSHMAMMA.***

In Visweshwara Rao's case (supra), the Supreme Court held that whenever a State agency undertakes employment into various categories of posts, in addition to requisitioning the names from the employment exchange, it should also call for applications by publishing notification in the newspapers. The respondents are not able to state as to how the requirement indicated by the Supreme Court does not apply to the petitioners. The Division Bench of this court has dealt with a case, where the relevant service regulations provided for, restricted the consideration of the candidates to those who were sponsored through the Employment Exchange. Even assuming that the ratio laid down in that case is applicable to the facts of this case, it is not the case of the respondents that they have any rule which restricted the consideration of candidates only those who are sponsored through employment exchange.

For the foregoing reasons, the writ petition is allowed and the second respondent is

directed to consider the case of the petitioners without insisting on sponsoring by the Employment Exchange, provided they fulfill the prescribed qualifications. No order as to costs.

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26-12-2005

Note:

Issue C.C. in two days.

(B/o)

Prv